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09/604,352	06/27/2000	Takashi Kondoh	00465/LH	4884

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EXAMINER	
PEREZ, JULIO R	

ART UNIT	PAPER NUMBER
2681	

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/604,352	KONDOH, TAKASHI	
	Examiner	Art Unit	
	Julio R Perez	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4 and 20-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4, 20-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-4, 20-37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 4, 20-21, 23-28, 30-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Suer et al. (6431439).

Regarding claim 1, Suer et al. disclose an information processing system comprising: a radio communication terminal (col. 6, lines 38-43, a portable, hand-held device with communication means corresponding to a radio terminal is provided); and

an information appliance communicable with said radio communication terminal within a predetermined distance (col. 6, lines 37-48, the system contains information processing such ATM terminals and host PC to provide communication between them and the hand-held device); said information appliance comprising: a storing part for storing information specific to a user of said information appliance (col. 6, lines 49-58, the terminal units, the ATM for instance, is capable of storing data regarding the user such as his PIN in order to allow communication with the hand-held terminal); a radio communication part for reading information from said radio communication terminal (col. 6, lines 47-58, the ATM and the PC units include communication elements in order to receive corresponding data from the hand-held terminal); an authorization part for authorizing said user of the information appliance by collating information from said radio communication terminal read by said radio communication part with the information specific to the user of said information appliance stored in said storing part (col. 7, lines 1-15, the terminal units include capabilities to receive cipher data from the handheld device in or order to provide access to it); and a user interface part as an input part by which the user requires that the authorization processing is performed (col. 7, lines 1-26, the ATM and PC contain means to input information regarding the user and are also able to receive data through RF or IR means); and said radio communication terminal comprising: a stoning part for storing predetermined information (col. 6, lines 38-48, the portable, radio hand-held corresponding to the communication terminal includes means for storing information regarding the user); and a transmission part for receiving a radio signal transmitted from said information appliance and

transmitting information said information specific to the user stored as a radio signal (col. 4, lines 30-67; col. 5, lines 1-4; col. 6, lines 38-67, the hand-held terminal is capable of receiving information from the terminal units as well as transmitting information regarding user data, which can be transmitted through RF signaling or infrared signaling).

Regarding claim 4, Suer et al. disclose the information processing system, wherein said information appliance further comprises a control part for controlling the radio communication terminal reading part so that the directivity of an electromagnetic wave transmitted from the radio communication terminal reading part is made high (col. 6, lines 38-58, the terminal units (ATM and PC) are able to maintain constant connection while communicating with the hand-held device; as such, the hand-held device may further transfer information stored in the hand-held device to a PC through an IR connection; indeed, corresponding to the directivity between the corresponding devices).

Regarding claim 20, Suer et al. disclose the information processing system, wherein the information appliance comprises a personal computer (col. 6, lines 38-43, the remote units that communicate with the hand-held unit may include a PC).

Regarding claim 21, Suer et al. disclose the information processing system, wherein the information appliance comprises a stationary type personal computer (col. 6, lines 38-43, the remote units that communicate with the hand-held unit may include a PC and a point-of-sale terminal, corresponding to a fixed computer).

Regarding claim 23, Suer et al. disclose the information processing system, wherein the radio communication terminal comprises a non-contact IC card (col. 7, lines 1-15, the ATM may be controlled through a PIN number).

Regarding claim 24, Suer et al. disclose the information processing system, wherein the radio communication terminal comprises a wearable non contact type radio communication terminal (col. 4, lines 30-42; col. 6, lines 38-48, the portable unit includes an easy-to-carry hand-held device).

Regarding claim 25, Suer et al. disclose the information processing system, wherein the radio communication terminal comprises a non-contact tag (col. 7, lines 1-15, the ATM may be controlled through a PIN number).

Regarding claim 26, Suer et al. disclose the information processing system according to claim 1, wherein the information appliance further comprises a control part for supplying power to the radio communication part when the authorization processing is required through the user interface Part, and the control part stops supplying power the radio communication part after a predetermined time period (It is inherent as evidenced by the fact that one of ordinary skill in the art would have recognized that the PC, terminal, unit, consumes energy while it is performing functions, while communicating with the hand-held device; hence, it contains a sort of voltage source and prone to cut energy either while not working, to save energy, or being switched off to cut off voltage flow)

Regarding claim 27, Suer et al. disclose the information processing system, wherein the information appliance comprises a personal computer (col. 6, lines 38-43, the remote units that communicate with the hand-held unit may include a PC).

Regarding claim 28, Suer et al. disclose the information processing system, wherein the information appliance comprises a stationary type personal computer (col. 6, lines 38-43, the remote units that communicate with the hand-held unit may include a PC and a point-of-sale terminal, corresponding to a fixed computer).

Regarding claim 30, Suer et al. disclose the information processing system, wherein the radio communication terminal comprises a non contact IC card (col. 7, lines 1-15, the ATM may be controlled through a PIN number).

Regarding claim 31, Suer et al. disclose the information processing system, wherein the radio communication terminal comprises a wearable non contact type radio communication terminal (col. 4, lines 30-42; col. 6, lines 38-48, the portable unit includes an easy-to-carry hand-held device).

Regarding claim 32, Suer et al. disclose the information processing system, wherein the radio communication terminal comprises a non contact tag (col. 7, lines 1-15, the ATM may be controlled through a PIN number).

Regarding claim 33, Suer et al. disclose an information processing system comprising: a radio communication terminal (col. 6, lines 38-43, a portable, hand-held device with communication means corresponding to a radio terminal is provided); and an information appliance communicable with the radio communication terminal within a predetermined distance (col. 6, lines 37-48, the system contains information processing

such ATM terminals and host PC to provide communication between them and the hand-held device), said radio communication terminal comprising: a first storing part for storing predetermined information (col. 6, lines 38-48, the portable, radio hand-held corresponding to the communication terminal includes means for storing information regarding the user), said predetermined information comprising user specific information for an appliance user (col. 6, lines 38-48; col. 4, lines 30-67; col. 5, lines 1-4; col. 6, lines 38-67, the hand-held device includes user data information); a transmission part for receiving a radio signal transmitted from the information appliance and transmitting the predetermined information stored in the first storing part as a radio signal (col. 4, lines 30-67; col. 5, lines 1-4; col. 6, lines 38-67, the hand-held terminal is capable of receiving information from the terminal units as well as transmitting information regarding user data, which can be transmitted through RF signaling or infrared signaling); and said information appliance comprising: a second storing part for storing information specific to a user of said information appliance, which comprises information specific to a group jointly using the information appliance (col. 6, lines 49-58, the terminal units, the ATM for instance, is capable of storing data regarding the user such as his PIN in order to allow communication with the hand-held terminal; further, ATM and PCs are capable of storing a variety of data regarding multiple users); a radio communication part for reading information from the radio communication terminal (col. 6, lines 47-58, the ATM and the PC units include communication elements in order to receive corresponding data from the hand-held terminal); and an authorization part for collating information from the radio communication terminal read by the radio

communication part with the information specific to the user of the information appliance stored in the second storing part, and for allowing the appliance user to use the information appliance if at least a part of the information from the radio communication terminal coincides with the information specific to the group jointly using the information appliance (col. 7, lines 1-15, the terminal units include capabilities to receive cipher data from the handheld device in or order to provide access to it; Further, in the case of an ATM being used, the ATM portrays means to verify user identities trying to enter its system; for instance, users provide each his or her own PIN).

Regarding claim 34, Suer et al. disclose an information processing system comprising: a radio communication terminal (col. 6, lines 38-43, a portable, hand-held device with communication means corresponding to a radio terminal is provided); and an information appliance communicable with the radio communication terminal within a predetermined distance (col. 6, lines 37-48, the system contains information processing such ATM terminals and host PC to provide communication between them and the hand-held device), said radio communication terminal comprising: a first storing part for storing predetermined information, which comprises user specific information for an appliance user (col. 4, lines 30-67; col. 5, lines 1-4; col. 6, lines 38-67, the portable, radio hand-held corresponding to the communication terminal includes means for storing information regarding the user); a transmission part for receiving a radio signal transmitted from the information appliance and transmitting the predetermined information stored in the first storing part as a radio signal (col. 4, lines 30-67; col. 5, lines 1-4; col. 6, lines 38-67, the hand-held terminal is capable of receiving information

from the terminal units as well as transmitting information regarding user data, which can be transmitted through RF signaling or infrared signaling); and said information appliance comprising: a second storing part for storing information specific to a user of the information appliance (col. 6, lines 49-58, the terminal units, the ATM for instance, is capable of storing data regarding the user such as his PIN in order to allow communication with the hand-held terminal); a radio communication part for reading information from the radio communication terminal (col. 6, lines 47-58, the ATM and the PC units include communication elements in order to receive corresponding data from the hand-held terminal); an authorization part for collating information from the radio communication terminal read by the radio communication part with the information specific to the user of the information appliance stored in the second storing part, and for allowing the appliance user to use the information appliance if the information from the radio communication terminal coincides with the information specific to the user of the information appliance (col. 7, lines 1-15, the terminal units include capabilities to receive cipher data from the handheld device in or order to provide access to it; Further, in the case of an ATM being used, the ATM portrays means to verify user identities trying to enter its system; for instance, users provide each his or her own PIN therefore allowing the user to enter the system if the PIN is verified to be authentic; that is, it is verified to be the one belonged to the user as saved in the system); and a controller for controlling the authorization part, such that registration and de-registration of an appliance user as a user of the information appliance by the authorization part can be performed only when a predetermined appliance user is authorized by the

authorization part (col. 7, lines 1-26, the ATM and PC contain means to input information regarding the user and are also able to receive data through RF or IR means; this, in turn, corresponds to allowing the user get through the ATM or PC system in order to access either after verification of the user's registration).

Regarding claim 35, Suer et al. disclose the information processing system, wherein the radio communication terminal comprises a non contact IC card (col. 7, lines 1-15, the ATM may be controlled through a PIN number).

Regarding claim 36, Suer et al. disclose the information processing system, further comprising a non contact IC card for the predetermined appliance user as a system manager (col. 7, lines 1-15, the ATM may be controlled through a PIN number).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 2-3, 22, 29, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suer et al. (6431439) in view of Sizer II et al. (6021324).

Regarding claims 2, 37, Suer et al. do not explicitly disclose the information processing system, wherein said radio communication terminal comprises a portable telephone, the information specific to the user comprises a telephone number, and the telephone number differs for each user.

However, the preceding limitation is well known in the art of telecommunications.

Sizer II et al. teach a premises recording unit to control appliances within a home or office, and which receives input data from a phone unit, a portable cordless unit (col. 1, lines 59-62; col. 2, line 42; col. 3, lines 54-66; col. 6, lines 65-67; col. 9, lines 36-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the system as taught by Suer et al. with a telephone terminal as a controller because it would provide the system ability to receive commands from a variety of elements that provide means to command the premises recording unit in order to control the corresponding appliance.

Regarding claim 3, Sizer II et al. teach, wherein said radio communication terminal employs an operation part of a portable telephone to transmit a code number in addition to the information specific to the user (col. 9, lines 36-47, a signal is sent via the telephone).

Regarding claims 22 and 29, Sizer II et al. teach the information processing system, wherein the information appliance comprises one of a household electric appliance and a consumer electronics product (col. 3, lines 54-59).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R Perez whose telephone number is (703) 305-8637. The examiner can normally be reached on 7:00 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 703-308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JP
9/16/04

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